

CALTRANS

AFFORDABLE SALES PROGRAM

PUBLIC HEARING

TUESDAY, MAY 12, 2015

6:00 P.M. TO 8:00 P.M.

LOS ANGELES CHRISTIAN PRESBYTERIAN CHURCH

2241 North Eastern Avenue

LOS ANGELES, CALIFORNIA

REPORTED BY:
JOYCE HOLBROOK
Job No: 41984

1 LOS ANGELES, CALIFORNIA; TUESDAY, MAY 12, 2015

2
3 MS. LOWDEN: Good evening. We're going to
4 get started this evening.

5 I think we will go ahead and get started
6 because the opening statement does take a few minutes,
7 and it is about five after 6:00 this evening.

8 First, a couple of housekeeping things.
9 The rest rooms are in the main building. Go straight
10 through and to the right. The men's and women's rest
11 rooms are in there. There's also an elevator there if
12 you need that type of service or you can go down
13 straight out this door, down the ramp and to the left
14 back out to the parking lot.

15 I'm Jennifer Lowden, the Division Chief
16 for Caltrans, the Division of Right of Way in
17 Sacramento.

18 It's Tuesday, May 12th, and we are
19 gathered here this evening at the Los Angeles
20 Presbyterian Church located at 2241 North Eastern
21 Avenue, Los Angeles, California, 90032.

22 We have a court reporter here assisting us
23 with recording all of the input given to us this
24 evening. In order for the reporter to accurately
25 transcribe the oral comments that some of you will be

1 making during tonight's comments, I ask that you to
2 please refrain from talking while others are speaking.

3 This public hearing is focused solely on
4 the Revised Affordable sales program Regulation as
5 proposed by Caltrans in reference to Title 21 of
6 the California Code of Regulation beginning with
7 Section 54234.5, and continuing through
8 Section 54238.26, as required by the Administrative
9 Procedures Act.

10 This is not a town hall meeting or a
11 workshop. Tonight's public forum -- tonight's public
12 hearing is a forum to receive public comments
13 regarding the regulations that have been proposed by
14 Caltrans. Public participation and your comments
15 minutes are key to the regulatory process.

16 This public hearing is being conducted to
17 allow the public an opportunity to make oral and/or
18 written comments to the Proposed Affordable Sales
19 Program Regulation. We do value your input and
20 comments. However, this public hearing is not a forum
21 to comment on the proposed 710 north project or
22 project alternative nor will be accepting comments for
23 that draft environmental document. This is also not a
24 forum to comment on the environmental process,
25 property rents, or repairs and maintenance to the

1 residences.

2 We will not be responding to any of your
3 comments or answering any of your questions. This
4 process is specifically designed the allow for input
5 from the public as for the rules and procedures set
6 forth in the Administrative Procedures Act. Comments
7 you make during this rulemaking process will be
8 responded to -- in a published document called the
9 final statement of reasons at a later date.

10 This hearing is scheduled from
11 6:00 o'clock p.m. until 8:00 clock p.m. We will
12 endeavor to take everyone's public input as possible
13 during this time of your public comments will become
14 part of the rulemaking record. Under the rulemaking
15 provision of the California Administrative Procedures
16 Act, this is the date, time, and place set for
17 presentation of comments for or against these proposed
18 regulations both oral or in writing.

19 Notices have been published and various
20 media outlets and have also been sent by mail to
21 interested parties. This is a point on legislature
22 hearing in which Caltrans carries out a rulemaking
23 function delegated by the legislature.

24 Witnesses presenting testimony at this
25 hearing will not be sworn in. We will take under

1 submission all written comments provided as well as
2 oral statements made during this hearing.

3 Written comments carry the same weight as
4 oral comments. All comments will be responded to in
5 the Final Statement of Reasons Document, which will be
6 part of the final rulemaking plan and submitted to the
7 Office of Administrative Law.

8 Written comments received to date will be
9 posted and can be reviewed at our website.

10 As I mentioned previously, this rulemaking
11 hearing will be recorded by a certified court
12 reporter. The transcript of the hearing along with
13 any exhibits and evidence presented during this
14 hearing will be made part of the rulemaking record
15 together with any written comments received.

16 The record of this hearing is being kept
17 open until 8:00 p.m. this evening in order to receive
18 relevant evidence from interested parties.

19 At this point the rulemaking record
20 includes the Notice of Proposed Rulemaking, the
21 Proposed Regulation, the Initial Statement of Reason,
22 the Standardized Regulatory Impact Assessment, and all
23 comments received to date.

24 The proposed regulation was duly noticed
25 more than 45 days prior to today's hearing. Notices

1 were mailed to residential tenants who are living
2 within the proposed State Route 710 project corridor,
3 other interested parties who were requested rulemaking
4 notices, as well as those parties who are deemed by
5 Caltrans to have a potential interest in the proposed
6 rulemaking process.

7 This hearing is one of several critical
8 steps that must take place before the sale of certain
9 properties located within the corridor can commence.

10 Selling the properties will require
11 imposed Affordable Sales Program Regulation to be
12 adopted in accordance with the Administrative
13 Procedures Act.

14 Regulations proposed by any state agency
15 must be reviewed and approved by the Office of
16 Administrative Law. The Office of Administrative Law
17 will review the rulemaking record to determine whether
18 it demonstrates that Caltrans as a rulemaking agency
19 satisfy the procedural requirement of the
20 Administrative Procedures Act.

21 The Office of Administrative Law will also
22 review the proposed regulations for compliance with
23 the following legal standards as set forth in the
24 Administrative Procedures Act.

25 First, that the proposed regulation is

1 necessary to effectuate the purpose of the statute
2 that it is implementing. Second, it is clear in
3 terms. Third, it is consistent and not in conflict
4 with or contrary to existing law. Fourth, it does not
5 duplicate existing state or federal law. And fifth,
6 Caltrans' interpretation does not alter, amend,
7 enlarge, or impair the scope of the authority or
8 reference conferred by statute.

9 If the Office of Administrative Law makes
10 a determination that imposed regulation does not meet
11 any of these standards, it can disprove the regulatory
12 proposal. This would mean that the regulation would
13 not go into effect.

14 Additional steps that must take place
15 include that the properties under consideration for
16 sale must be declared excess, the environmental
17 document must comply with California Environmental
18 Quality Act, and Caltrans must comply with code
19 resource Code section 5024, which insure that there's
20 no adverse effect to any historical property resulting
21 from this regulatory action.

22 Caltrans is proposing to adopt a
23 regulation entitled Title 21, Division 2, of the
24 California Code of Regulation. This sets forth the
25 procedures that will allow Caltrans to dispose of

1 surplus residential property that are originally
2 acquired for the State Route 710 extension in the
3 cities of Los Angeles, South Pasadena, and Pasadena,
4 in accordance with 54235 through 54238.6 as amended
5 and also noted the Roberti Act.

6 The regulations are intended to allow
7 Caltrans to expose of the residential property in a
8 manner that will preserve, upgrade, and expand the
9 supply of the housing available to effected persons
10 and family of low or moderate income.

11 Copies of the Proposed Regulatory Action
12 and the Initial Statement of Reasons are available at
13 the information table just outside the door.

14 As you entered the room today, you were
15 given an opportunity to sign an attendance sheet. If
16 you wish to sign the attendance sheet and have not
17 already done so, please sign it at your convenience
18 before you leave this evening.

19 Please note that the attendance sheet is
20 your opportunity to provide Caltrans with a clear and
21 legible record of your name and mailing address. If
22 you wish for us to mail you future information and you
23 are not already on our mailing list, you will not be
24 excluded from participation in these proceedings even
25 if you do not identify yourself or do not sign the

1 attendance sheet. However, if you wish to provide an
2 oral comment, a speaker card will be required.

3 If you have not completed a record speaker card and
4 wish to make an oral comment this evening, please
5 raise your hand, an usher can drop off the speaker
6 card for you to complete.

7 Once you have filled out the card, please
8 give it to one of our ushers. He or she would make
9 sure the card is put in the queue. The speakers will
10 be called based on first-come, first-served basis.

11 You are also provided an opportunity to
12 pick up and complete written comment sheet as you
13 enter the room. If you completed a comment sheet, or
14 if you brought written comments with you to submit
15 during the hearing this evening, please place it in
16 the comment box located just outside the door on the
17 information table.

18 You are welcome to write as many comments
19 as you would like on the comment sheet. All comments
20 will be recorded and responded to as part of the
21 rulemaking process.

22 Those responses will be contained in the
23 Final Statement of Reason.

24
25 The 45-day comment period ended at

1 5:00 p.m. on Monday, April 13, 2015. All written
2 comments received during the written comment period
3 are part of the rulemaking record.

4 Again, if you wish to receive updates,
5 including a Final Statement of Reason which will
6 contain Caltrans' responses to the comments received,
7 and if you have not already done so, please be sure to
8 sign in on the attendance sheet and provide us with
9 your complete, legible name, and mailing address.

10 I understand that regulatory language can
11 be complex, and it may be unclear which of your
12 comments relate to this specific hearing. We welcome
13 the input on issues outside the scope of this hearing,
14 but this is not the forum to discuss them.

15 If you have concerns on matters not
16 related to the proposed regulation, please pick up a
17 flier at the information table providing contact
18 information.

19 Caltrans has provided a Spanish-speaking
20 interpreter here this evening. Hugo Guzman is here to
21 aid with the Spanish-speaking attendance. Please let
22 us know if you wish his assistance.

23 I will call your name from the speaker
24 cards submitted. Please come forward once I have
25 called your name and asked you to step forward.

1 We are going to do our best this evening
2 to ensure that everyone who wants to speak is provided
3 an opportunity to do so. We ask your help in this by
4 respecting each speaker and limiting your speaking
5 time to no more than two minutes.

6 We have a timer over here to my right,
7 your left, that will show you how much time you have
8 remaining. To be fair to everyone who wishes to speak
9 this evening, I will force the two-minute limit, and
10 there will be no setting of time to other speakers nor
11 will an individual be allowed to speak more than once.

12 A buzzer will sound at the end of two
13 minutes. I apologize in advance if anyone is offended
14 by the buzzer. Unfortunately there is no operational
15 buzzer sounds available.

16 We will conclude this hearing at 8:00 p.m.
17 If you turn in a speaker card before 8:00 p.m. and we
18 have not heard your comment, we will remain until all
19 persons have had an opportunity to present their
20 comment or the room is no longer available to us.

21 When you speak, I ask that you come
22 forward and communicate into the microphone in a clear
23 and audible tone such that participants situated in
24 the back of the room can hear you speak. This will
25 also allow the court reporter with the best chance of

1 insuring your comments are accurately recorded.

2 Please begin by stating your name and
3 spelling your last name to insure the court reporter
4 is able to record the information accurately. State
5 the organization you represent, if any; and tell us
6 what section number of the proposed regulation for
7 which you wish to comment. Your input is important in
8 this process.

9 This panel will not able to respond to any
10 of your comments or answer questions. Responses to
11 your comments will be addressed in writing at the end
12 of the process in the Final Statement of Reasons.

13 Hugo.

14 let's go ahead with the rest of the
15 opening statement, please.

16 THE AUDIENCE: This has to do with the
17 opening statement. You said we can comment as many
18 comment cards but we can only speak once?

19 MS. LOWDEN: That's correct.

20
21 (Interpretation in the Spanish language.)
22

23 MS. LOWDEN: At this time I will begin
24 calling up speakers based on the time the speaker
25 cards were received. Please forgive me if I

1 mispronounce your name, I will do my best.

2 Our first speaker this evening is Andrea
3 Weinbrecht. Andrea, if you will go ahead and come
4 forward to the microphone, and for the record, please
5 state your name and spell your last name, the group or
6 organization you represent, if any, and the section
7 number under the proposed regulation on which you
8 would like to comment.

9 MS. WEINBRECHT: Andrea Weinbrecht,
10 W-e-i-n-b-r-e-c-h-t. I don't represent anyone, and
11 I'm not sure what section of the law.

12 MS. LOWDEN: No problem.

13 MS. WEINBRECHT: We just feel like we're
14 not being represented in any way, because my view, we
15 are truly middle-class people, so we don't qualify for
16 any low-income stuff, and we are very confused as to
17 whether you will be basing the prices on our
18 neighborhood, which if it is, will absolutely be
19 priced out because it's South Pasadena. Or, like, if
20 you're basing, like, our income on county income,
21 because then we are upper middle class. If you're
22 basing our income based on Pasadena, we are probably
23 low -- you know what I mean. It's like nothing adds
24 up because there's such a drastic difference in all of
25 the different incomes in various areas, and so we are

1 very confused about where we fall into and we very
2 much want to buy our house. And, you know, I mean, we
3 are part of the community now. We have children, we
4 want to stay, so we just want some clarification on
5 how people who don't really fall into any of these
6 categories, I mean other than number 4, we just feel
7 like we are going to get pushed out. Is there
8 clarification on that?

9 That's all I want to know. So I guess. .

10 .

11 Thank you.

12 AUDIENCE SPEAKER: They are not going to
13 answer.

14 MS. LOWDEN: Our next speaker is Mr. Hugo
15 Garcia. If you will please come forward and state
16 your name and spell your last name and the group or
17 organization you represent, if any, and if you got the
18 section number of the regulation available, that's
19 great also. Thank you.

20 MR. GARCIA: Hugo Garcia, G-a-r-c-i-a. I
21 am a member of the United Caltrans Tenants Association
22 here in El Sereno, past and present of the El Sereno
23 organizing committee.

24 I'd like to officially protest this
25 hearing because of violation of Title 6 is Civil

1 Rights Act of 1964, and violations of the Executive
2 Order 12898 of 1994 related to violent justice in
3 minority and low income communities.

4 On March 31st of this year, I sent a
5 letter to Ms. Lowden asking her for extension from the
6 45-day period of the common period to make 125 days.
7 We never received a response. The same thing happened
8 at the last hearing that they had in this room
9 previous. We don't get our responses.

10 We did get a meeting here in El Sereno not
11 because Caltrans brought it to us. In fact, they had
12 scheduled meetings at Cal State L.A. and at Pasadena,
13 but because we went to our officials to protest, they
14 decided to have a meeting here. That's why you got a
15 notice later on set for notice for this meeting, not
16 because they were looking out for our community, but
17 smack in the middle of what's going on with these
18 homes.

19 We believe that this hurts the
20 participatory series of the APA established in 1946,
21 should involve and allow for communities to engage in
22 meaningful participation.

23 We -- and like I said, I mean, the fact of
24 the matter is, in our community they do not reach to
25 us the way they do in other communities. They expect

1 that social media is going to get it when, in fact, in
2 our community, there's language issues, and social
3 media is not the norm especially with seniors. And
4 some of many of you might be seniors here today. So
5 basically protesting this meeting, and I feel that
6 there's violations of the law.

7 Thank you.

8 MS. LOWDEN: Our next speaker this evening
9 is Elisa Almeida. Sorry if mispronounced that.
10 Please come forward and state your name and spell your
11 last name, and the organization you represent, if any.
12 Thank you.

13 MS. ALMEIDA: Okay. Elisa Almeida,
14 A-l-m-e-i-d-a. I'm a resident here, and first a
15 tenant, then UCT, and now against 710; here in
16 El Sereno of 30 years; mom 37 years.

17 On the housing issues of Caltrans' tenant,
18 you need to remove the wording "fair market value"
19 at -- out, I mean. I just came home -- at -- out of
20 the vocabulary. "Fair market value," remove it out of
21 your vocabulary. It makes no sense.

22 And you're outreach, I agree with Hugo;
23 it's bad, very bad. You're only sending to the people
24 that come and sign in instead of going to the
25 councilman's office and getting everybody's addresses.

1 Okay. Let me see here. It's very bad,
2 and all we want to know is how do we know if we have
3 been declared excess or surplus. I mean, are you
4 going to let -- I know you can't answer it, but are
5 you just going to send the people that signed in or
6 are you going to send it to every single house? How
7 do we know that?

8 Okay. Houses, under my understanding, are
9 to be sold as-is from an amendment of Karen Lu. So
10 fair market as-is, I don't know, that contradicts
11 itself.

12 Okay. I feel Caltrans has not kept their
13 word as to the upkeep of homes. They're the party on
14 the contract, which therefore the habitability is bad;
15 many people living with black mold, therefore homes
16 should -- hey, there's nobody speaking. Can I finish
17 it?

18 MS. LOWDEN: We do have -- you can go for
19 a couple.

20 MS. ALMEIDA: Okay. As far as I'm
21 concerned, my mom living in the home 37 years, she
22 already -- there's a lot of seniors that have been
23 living there for 30 and more years. They should own
24 that home by now. That's equivalent to a mortgage.

25 MS. LOWDEN: Okay. Everybody does has the

1 same opportunity, the same two minutes. Your comments
2 are well put in the box, and we will definitely keep
3 those comments and respond to those in our Final
4 Statement of Reason.

5 Although I don't have any additional
6 speaker cards at this time, if you would like to
7 speak, we do have speaker cards available over at the
8 table right there, and we will be happy to get those
9 cards and get you forward to make your comments.

10 Our next speaker this evening is, I
11 believe it's Dr. Tom Williams.

12 MR. WILLIAMS: Yes.

13 MS. LOWDEN: If you can please come
14 forward, state your name, spell your last name.

15 MR. WILLIAMS: Good evening. Dr. Tom
16 Williams, W-i-l-l-i-a-m-s, with the Citizens Coalition
17 for a Safe Community, but also a 30-year owner and
18 occupant in El Sereno overlooking the pass enter
19 interchange for Huntington Drive.

20 We've been watching this for a long time.
21 Alternatives are the keys. Why are there some many
22 alternatives, because Caltrans already given up on the
23 old alignment. If you look at the drawings that they
24 have current in the environmental impact report, they
25 relocated. They just move the bins out, so a lot of

1 the houses that we were purchased a long time ago are
2 no longer even within the general zone of alignment.

3 There's also a matter that City of Los
4 Angeles has a resolution saying no portal in the City
5 of Los Angeles and that the alignment should not be
6 under the City of Los Angeles. So my say, breaking it
7 up into three phases dependent upon some alternative
8 that may be selected or may not be selected. This may
9 be tied up in courts for another 20 years.

10 I have already -- my first exposure to the
11 710 was in 1992 when we had a Caltrans presentation as
12 member of the Chamber of Commerce, we sponsored here
13 in El Sereno.

14 So take the three alternatives, put them
15 into one. You can keep a little bit of the property,
16 but not so much of it. There's so many persons and
17 there's so much need for this housing, so go back to
18 the original Roberti Bill and use it. Why change now,
19 especially in the three alternatives. No
20 alternatives. Just put them all in one package, and
21 let's have it done with this.

22 Thank you.

23 MS. LOWDEN: Thank you.

24 Our next speaker this evening is Jose
25 Prado. Jose, if you would come forward and state your

1 name and spell your last name, identify the
2 organization you're with, if any.

3 Thank you.

4 MR. PRADO: Good evening. My name is Jose
5 Prado. My last name is spelled P-r-a-d-o. My first
6 name is spelled J-o-s-e.

7 The vacant bungalows one block north of
8 Huntington on Maycrest have been identified by the
9 community including the UCT as public space. The
10 bungalows are collective, which I represent, has been
11 selected and identified by members of the community to
12 manage that public space as a learning space. We
13 expect to receive management, ownership,
14 custodianship, lease of the property for \$1 a year for
15 an indefinite length of time.

16 Thank you.

17 MS. LOWDEN: Thank you.

18 I don't have any additional speakers card
19 at this time. If you would like the speak and have
20 not already spoken, if you would please raise your
21 hand one of the ushers can bring you a speaker card or
22 give the speaker card to the usher, and I'll be happy
23 to call you forward when the speaker cards arrive.

24 We will here until 8:00 clock this
25 evening, and you may continue to provide your written

1 comments until that time by dropping them off in the
2 comment box at the information table. Or again, if
3 you would like to make any oral comment, you can
4 provide us with a speaker card.

5 We also have a court reporter in the back
6 of the room who would be happy to take your comments
7 at the back of the room. If you prefer to do it that
8 way.

9 (RECESS TAKEN.)

10 MS. LOWDEN: I'd like to go ahead and call
11 the next speaker. Mike Rivera. If you would like to
12 come forward to the microphone. Thank you.

13 MR. RIVERA: Yeah, I'd like to make a
14 statement on behalf of the El Sereno Bungalow
15 Collective, and that is, we request what the level
16 that the revised draft regulations contain a new
17 provision that requires Caltrans to self surplus I-710
18 properties without structures and/or properties with
19 the structures that have been abandoned for a minimum
20 of ten years to the City in which they are located,
21 and in and/or nonprofit organizations.

22 The properties that are to be repurposed
23 by the cities and their nonprofit organizations to
24 provide public free or low cost services to low income
25 residences as defined in the regulations and are not

1 to be redeveloped for profit.

2 Under this provision, the properties may
3 be repurposed to provide services like but not limited
4 to community gardens, public parks, and community
5 centers. The decision of which is to directly
6 correspond to the needs of the community, and to
7 this -- to be decided by the community that resides
8 within the two-mile radius of the property.

9 Thank you.

10 MS. LOWDEN: Thank you.

11 We do have another speaker card this.
12 David Arnay, would you please come forward and state
13 your name and the organization you represent, if any,
14 please.

15 MR. ARNAY: David Arnay. I represent
16 myself and my family. I just have two points that I'd
17 like to bring up for the Caltrans' attention regarding
18 this issue.

19 I request that Caltrans create information
20 which humans available by phone to answer the many
21 questions that will continue to arise surrounding this
22 process. There should also be an online forum
23 monitoring by the agency to promote the exchange of
24 the information.

25 The other thing I want to bring up is that

1 I see no references in the frequently-asked questions
2 document regarding any provisions to pass these
3 properties to the heirs of potential buyers. This
4 should be part of the rulemaking process and deserves
5 your attention.

6 MS. LOWDEN: Thank you.

7 Our next speaker this evening is
8 Christopher Sutton.

9 MR. SUTTON: Good evening. Again, my name
10 is Christopher Sutton, S-u-t-t-o-n. My address is 586
11 La Loma Road, Pasadena, California 91105. I'm
12 following up on what Ms. Weinbrecht and what
13 Ms. Almeida said.

14 Caltrans uses a fair-market-value approach
15 that values the homes based upon the type geographic
16 area in the neighborhood; yet when they do income,
17 they value the income based upon the entirety of
18 Los Angeles County. This has the effect of artificial
19 lowering the median income in a way that excludes
20 people from the first three categories, and basically
21 will prevent them from buying. And if they want to
22 buy at fair market value, you value the house locally
23 at a very high level, which also excludes them from
24 buying. So it's inconsistent and irrational for
25 Caltrans to use an income-base formula. That's the

1 whole accounting and uses the value of the house
2 that's solely based on the locality. It's unfair and
3 defeats the purpose of the Roberti Bill because it
4 makes people ineligible to buy under the first three
5 categories. And that makes them ineligible to buy
6 under the latter categories.

7 The second comment I want to make in the
8 next 54 seconds is that this phasing that you hand out
9 today -- Phase 1, Phase 2, Phase 3, -- is not
10 reflected in the regulations, and the selection of
11 properties for the two to three phases needs to be
12 reflected in the regulations of how you do it. It
13 violates the Administrative Procedures Act by doing
14 the phases.

15 The third comment if I may go over is the
16 120-day time to accept the offer in Regulations 1480,
17 1481, and 1484 is entirely impossible to meet.

18 Of the houses that Caltrans sold between
19 1996 and 2006, the average time to accept the offer
20 after the offer was made was over 12 months. In fact,
21 some of them were 40 months. Some of them were
22 70 months. And so if you look at the housing that you
23 went through and sold between 1996 and 2006, no one --
24 no one would have been able to buy those properties if
25 they had to accept the offer within four months.

1 So, in effect, by imposing 120-day rule,
2 you are excluding everybody from purchasing because
3 you can't get financing on a Caltrans' house in four
4 months. It's physically impossible.

5 MS. LOWDEN: Thank you.

6 Our next speaker is Alexi Shatz, please.

7 MR. SHATZ: My name an Alexi Shatz,
8 S-h-a-t-z. Thank you for taking my comment.

9 First of all, I would like to second
10 everything said by Mr. Sutton.

11 Furthermore, I would like to request that
12 Caltrans remove ownership and real property as part of
13 any condition under the Affordable Sales Program.

14 Secondly, raised in Section 3(A), made 150
15 percent of median income to be 200 percent of area
16 median income with area median income referring to the
17 city in which the surplus residential property is
18 located.

19 Thank you.

20 MS. LOWDEN: We have another speaker.
21 Libby Curiel. If you would come forward, state your
22 name, spell your last name, and the organization that
23 you represent. Thank you.

24 MS. CURIEL: Hi. My name is Libby Curiel.
25 My last name is spelled Curiel, C-u-r-i-e-l. And I'm

1 not here representing any specific organization. I'm
2 just here to speak on my own behalf.

3 I'm a tenant of Caltrans. I've been
4 living in our home since 2002, I believe. And I am
5 just really disappointed in the fact the Regulations
6 are placing public and private housing-related
7 entities before tenants like myself, because I would
8 not qualify for the 150-percent median income.

9 I'm on college professor, which is, I'm
10 grateful to God that I had the opportunity to finish
11 school because of Caltrans, because I had an
12 affordable rent that I could live in. I could go to
13 school and work. I'm a single mom and raised my son.
14 And I feel like I'm finally in a place in my life
15 where I could potentially buy a home. The only home
16 he's ever known. We would have to leave and find
17 somewhere else to live because a primary entity could
18 purchase the home before we would have the opportunity
19 to. So I'm really disappointed in the fact that
20 Caltrans hasn't taken that into account. You know,
21 it's a huge adjustment for our family. It's going
22 to be a really big change, a really big life change.
23 And I just wish that Caltrans took that into account.

24 The next thing is that even if -- let's
25 say I took a sabbatical and didn't work, I was unpaid

1 for six months and I qualified under the 150, I might
2 not qualify for a loan because I don't make enough
3 money that year. So I just feel like the regulations
4 need to take into account human beings that are living
5 in these homes and create a way for us to be able to
6 stay in the homes that we have known for so many
7 years.

8 Thank you.

9 MS. LOWDEN: Thank you.

10 Next speaker is Brian Curiel. Can you
11 please come forward, state your name and spell your
12 last name.

13 MR. CURIEL: Did you want me to spell my
14 last name?

15 MS. LOWDEN: Yes.

16 MR. CURIEL: C-u-r-i-e-l.

17 Do I just start, go ahead?

18 MS. LOWDEN: Yes.

19 MR. CURIEL: I am the son of Libby Curiel,
20 and I've also been living there forever since I can
21 remember, when I was like six-months-old, and it's
22 just a huge -- it would be a huge loss for me if I
23 would not be able to live there for just a couple of
24 more years, and some random stranger comes up and buys
25 our house, or if we even get the opportunity to buy

1 our home. I've been living there ever since I was a
2 baby, and it's just a huge memory of -- memories I had
3 with my family, my friends, and the whole community
4 experiences I've had with my house will all be gone
5 and given to some random stranger who doesn't even
6 have any background or the history of what I have been
7 through.

8 It may be a short speech, but that's all I
9 have right now, so thank you.

10 MS. LOWDEN: Thank you.

11 Our next speaker is Lorraine Curiel. If
12 you could come forward please and state your name and
13 spell your last name.

14 MS. CURIEL: Hi. My last name is
15 C-u-r-i-e-l. It's all family. I don't really live in
16 a Caltrans home, but I am a community member, and I
17 question the reasons behind Caltrans' behavior.

18 I mean, I -- first of all, I feel like you
19 need the Wisdom of Solomon because you're going to
20 have all of this displacement, and all of these
21 employees, you know, that are -- they are watching out
22 for their employment, so I get that, but you're going
23 to be displacing hundreds and hundreds of people that,
24 you know -- I don't know if it's because eminent
25 domain, or under what, you know, what reason you are

1 displacing them, because possession of the law is --
2 possession is nine-tenths of the law.

3 And the fact that they are living in these
4 places that they are going to be displaced, what are
5 you offering them? Are you giving them, you know,
6 fees to move out of there? Are you giving them some
7 kind of a, you know, what kind of remedy are you
8 creating for these people -- hundreds of people that
9 are going to be displaced; that's number one.

10 And, number two, I would think that you
11 would have other solutions that were more viable to
12 making, you know -- you know, like the freeways freer;
13 like, they are making all those tolls roads. The
14 state is getting money for that. Why are they making
15 -- if they're -- if the reason behind their behavior
16 is really open the roads so people can have access and
17 there won't be so much, you know, road, you know,
18 congestion, or whatever, then it can start by not
19 making those toll roads that the state is regularly
20 making money for.

21 They are actually narrowing the roads and
22 making it where people have less and less, you know,
23 viability for freedom, because they're trying to make
24 to toll roads, and all of that, so I question the
25 reasons behind the behavior. It's hypocrisy, because

1 on the one hand, they are waiting to displace all of
2 these people, and they are willing to -- but yet, they
3 are not taking a step in the right direction, and they
4 are actually making more toll roads, and things like
5 that, that is actually going to narrow and make the
6 traffic conjection (sic.), you know, congestion worse.

7 Thank you.

8 MS. LOWDEN: Thank you.

9 (RECESS TAKEN.)

10 MS. LOWDEN: If you do have comments you'd
11 like to drop off, we did move the box toward the front
12 of the room. This is the box for written comments.

13 (RECESS TAKEN.)

14 MS. LOWDEN: I'd like to call our next
15 speaker Linda Krausen.

16 MS. KRAUSEN: I'm here. Linda Krausen,
17 1109 Carvella Street, South Pasadena, California
18 91030. I've been living there for 23 years, almost
19 23 years, 22 years. And I have two things I'm going
20 to race through and say.

21 Okay. The first one is that I propose
22 that the Proposed Amended Regulation be further
23 amended as follows: In Section 1468 (C)(2), where it
24 says "If sold to a housing-related private or public
25 entity," not for section 1 use, change the wording

1 where it says "Tenant shall first offer to sell the
2 surplus residential property within the same time
3 frame imposed by the separate sales (phonetic) made by
4 the Department -- take out "at fair market value," and
5 insert at "an affordable rate as established by
6 California Department of Housing and Community
7 Development for persons of low to moderate income,"
8 and insert "Additionally as lineated for the original
9 sale of all properties in the 710 Corridor," because
10 by leaving it the way it is at fair market value,
11 you're opening it up for private entities to flip the
12 houses because they buy them at a reasonable,
13 affordable rate, and they flip it over at a fair
14 market value rate, so I'd like to see that wording
15 changed.

16 Second of all, I speak to section 1476,
17 Section (A), Affordability Housing Cost shall refer to
18 HS Code Section 50052.5 especially Section (C), and
19 further in which it states that these regulations may
20 provide alternative criteria for income requirements,
21 et cetera. And especially (C), states that the
22 Department shall by regulation adopt different
23 criteria, and that, quote, "These regulations may
24 provide alternative criteria to be consistent with
25 federally assisted housing according to Section" 5000,

1 so on -- in which ample -- and then I say, "ample
2 residence therefore exists for the state and federal
3 regulations to change the area of median income used
4 from Los Angeles County to local cities and ZIP
5 Codes."

6 And I have an attachment which shows the
7 median family income for two places in South Pasadena
8 as compared to the median income used for Los Angeles
9 County, which shows that it is very unfair to gauge us
10 by Los Angeles County, and it would eliminate many of
11 those possibilities of using the -- of buying our
12 home.

13 MS. LOWDEN: Thank you. And please drop
14 those off in our comment box.

15 MS. KRAUSEN: Yes.

16 MS. LOWDEN: Thank you very much.

17 MS. KRAUSEN: Thank you.

18 (RECESS TAKEN.)

19 THE COURT: It's 8:00 o'clock. Thank you
20 to all who have shared comments with us this evening
21 as well as those who came to listen. I'd like to
22 outline the process for what comes next.

23 As mentioned previously, the rulemaking
24 process is governed by the provisions of the
25 Administrative Procedures Act and can be found in

1 California Government Code.

2 All the written and oral comments we've
3 received via facsimile, e-mail, regular mail, and at
4 the public hearings will be reviewed and summarized.
5 If those comments lead to a revision of a regulation,
6 we will put out an additional minimum 15-day notice
7 and receive written comments during that time in
8 relation to any revised regulation.

9 We will not have an another public
10 hearing. We will summarize the responses to the
11 comments both oral and written in the Final Statement
12 of Reason.

13 All of this will be part of the final
14 rulemaking file that will be given to the Office of
15 Administrative Law for review and approval.

16 Once the Office of Administrative Law has
17 reviewed the file and if they concur that we,
18 Caltrans, have complied with the prescribed standards
19 for adopting regulation, they will issue an approval
20 notice to Caltrans.

21 Once the properties are declared excess
22 the environmental document is complete and Caltrans
23 has complied with Public Resource Code Section 5024 we
24 will be able to begin the process of selling these
25 properties.

1 With that, I'm going to conclude the
2 hearing. Thank you for taking time out of your busy
3 schedule and participating this evening.

4 THE AUDIENCE: Thank you for coming.

5
6 (HEARING CONCLUDED.)
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1 State of California)
2) ss
3 County of Orange)
4

5 I, Joyce Holbrook, Certified Shorthand
6 Reporter, qualified in and for the State of
7 California, do hereby certify:

8 That the foregoing transcript is a true
9 and correct transcription of my original stenographic
10 notes.

11 I further certify that I am neither
12 attorney or counsel for, nor related to or employed
13 by any of the parties to the action in which this
14 proceeding was taken; and furthermore, that I am not a
15 relative or employee of any attorney or counsel
16 employed by the parties hereto or financially
17 interested in the action.

18 IN WITNESS WHEREOF, I have hereunto set my
19 hand this 19th day of May, 2015.
20
21
22

23 _____
24 Joyce Holbrook, RPR, CSR #9041
25

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